



03/08/01

03-12-01

A

Patent
Attorney Docket: 257/049To: Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

NEW APPLICATION TRANSMITTAL - UTILITY

Sir:

Transmitted herewith for filing is a **utility** patent application:**Inventors:** TUROVSKIY et al.**Title:** CEREBRAL PROTECTION DURING CAROTID ENDARTERECTOMY
AND METHODS OF USE**I. PAPERS ENCLOSED HEREWITH FOR FILING UNDER 37 C.F.R. §1.53(b):**

- 30 Pages of Written Description
 12 Pages Claims
 1 Page Abstract
 27 Sheets of Drawings ☒ Informal ☐ Formal

II. ADDITIONAL PAPERS ENCLOSED IN CONNECTION WITH THIS FILING:

- ☒ Declaration
☒ Power of Attorney ☒ Separate ☐ Combined with Declaration
☒ Assignment to EMBOL-X, Inc. and assignment cover sheet
☐ Certified Copy of Priority Document No(s):
☒ Information Disclosure Statement w/PTO 1449 ☒ Copy of Citations
☒ Preliminary Amendment
☒ Request and Certification under 35 U.S.C. § 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35
☒ Return Postcard
☐ Other:

III. PRIORITY

- ☐ Priority of application Serial No. _____ filed on _____ in _____ is claimed under 35 U.S.C. § 119.

CERTIFICATE OF MAILING (37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

EL494995928US
Express Mail Label No.

March 8, 2001
Date of Deposit

Cynthia B Pacheco
Cynthia B Pacheco

IV. THE FILING FEE HAS BEEN CALCULATED AS SHOWN BELOW:

☐ Applicant claims small entity status pursuant to 37 CFR § 1.27

BASIC FILING FEE:						\$710.00
Total Claims	28	-	20	=	8	x \$18.00 \$144.00
Independent Claims	5	-	3	=	2	x \$80.00 \$160.00
Multiple Dependent Claims	\$270	(if applicable)				<input type="checkbox"/> \$0.00
TOTAL OF ABOVE CALCULATIONS						\$1,014.00
Reduction by ½ for Filing by Small Entity, if applicable, as asserted above. Note 37 CFR §§ 1.9, 1.27, 1.28.						<input type="checkbox"/> \$0.00
Misc. Filing Fees (Recordation of Assignment -- \$40)						\$80.00
TOTAL FEES DUE HERewith						\$1,094.00

V. METHOD OF PAYMENT OF FEES

- ☐ A check in the amount of \$1,094.00.
- ☐ Charge Lyon & Lyon's Deposit Account No. **12-2475** in the amount of _____.
- ☐ This application is being filed without fee or Declaration under 37 CFR § 1.53.

VI. AUTHORIZATION TO CHARGE FEES

The Commissioner is authorized to credit any overpayment and to charge any underpayment to Lyon & Lyon's Deposit Account No. **12-2475** for the following:

- ☒ 37 CFR § 1.16 – (Filing fees and excess claims fees)
- ☒ 37 CFR § 1.17 – (Any application processing fees)
- ☒ 37 CFR § 1.21 – (Assignment recording fees)

VII. CORRESPONDENCE ADDRESS

Please send all correspondence to Customer Number 22249:



22249

PATENT TRADEMARK OFFICE

LYON & LYON LLP
Suite 4700
633 W. Fifth Street
Los Angeles, CA 90071
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Please direct all inquiries to John Kappos at the above customer number.

Respectfully submitted,

LYON & LYON LLP

Dated: March 8, 2001

By: John Kappos
John Kappos
Reg. No. 37,861
Attorneys for Applicants

**REQUEST AND CERTIFICATION
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	TUROVSKIY et al.
Title	CEREBRAL PROTECTION DURING CAROTID ENDARTERECTOMY AND METHODS OF USE
Atty Docket Number	257/049

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

March 8, 2001

Date



Signature

John Kappos

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231